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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 HOSEA SWOPES, ) Case No.: 1:21-cv-00062-JLT (HC)  
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13 ) Petitioner, ) ORDER DENYING MOTION FOR  
14 )  
15 ) v. ) APPOINTMENT OF COUNSEL  
16 )  
17 ) A. CIOLLI, ) (Doc. 5)  
18 )  
19 ) Respondent. )  
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29 On February 5, 2021, Petitioner filed a motion to appoint counsel. (Doc. 5.) There currently  
30 exists no absolute right to appointment of counsel in habeas proceedings. See, e.g., Anderson v.  
31 Heinze, 258 F.2d 479, 481 (9th Cir. 1958); Mitchell v. Wyrick, 727 F.2d 773, 774 (8th Cir. 1984).  
32 However, Title 18 U.S.C. § 3006A(a)(2)(B) authorizes the appointment of counsel at any stage of the  
33 case if “the interests of justice so require.” See Rule 8(c), Rules Governing Section 2254 Cases. In the  
34 present case, the Court does not find that the interests of justice require the appointment of counsel at  
35 the present time. Accordingly, Petitioner’s request for appointment of counsel is DENIED.

36 IT IS SO ORDERED.

37 Dated: February 8, 2021

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE